United Nations S/2001/461

Security Council

Distr.: General
9 May 2001

Original: English

Letter dated 8 May 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

I have the honour to forward to the Council a statement dated 7 May 2001 by the First Deputy Prime Minister/Minister for Foreign Affairs concerning Uganda's withdrawal of its forces from the Democratic Republic of the Congo.

I should be grateful if you could bring this statement to the attention of the members and have it circulated as a document of the Security Council.

(*Signed*) Fred **Beyendeza**
Minister Counsellor/
Chargé d'affaires a.i.

01-36672 (E) 090501

Annex to the letter dated 8 May 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

Statement dated 7 May 2001 by the First Deputy Prime Minister/Minister for Foreign Affairs on Uganda's troop withdrawal from the Democratic Republic of the Congo

The Cabinet met on 7 May 2001 to review recent developments in the conflict in the Democratic Republic of the Congo. The Cabinet was briefed in detail by H.E. President Yoweri Kaguta Museveni on these recent developments.

After careful consideration of the matter, as well as recommendations received from the relevant organs of Government and having noted the contents of the letter addressed to H.E. the President from the Secretary-General of the United Nations, the Cabinet has decided as follows:

1. Uganda will completely withdraw its forces back home from the following positions in the Democratic Republic of the Congo:

(i) Nasankusu;

(ii) Dongo;

(iii) Gemena;

(iv) Gbadolite;

(v) Lisala;

(vi) Bafasende;

(vii) Isiro;

(viii) Butembo;

(ix) Beni;

(x) Kanyabayonga.

2. The Government will continue to examine the wisdom of maintaining a presence in Buta and Bunia.

3. Uganda will maintain deployment on the western slopes of the Rwenzori mountains until Uganda's security interests have been addressed in accordance with the Lusaka Peace Agreement.

4. The Government has decided that Uganda remains a party to the Lusaka Peace Agreement and arrangements under it, the full implementation of which remains the only viable solution to the crisis in the Democratic Republic of the Congo.

5. The Government of Uganda will propose that all members of the East African Community and the Southern African Development Community become active players in the implementation of the Lusaka Peace Agreement.

6. The Government of Uganda calls upon all concerned parties to implement the Lusaka Peace Agreement without any further delay. However, the Government of Uganda reserves the right to withdraw unilaterally from the Democratic Republic of the Congo and the Lusaka Peace Agreement if it continues to be dissatisfied with the apparent lack of political will to bring peace to the Democratic Republic of the Congo and the region by implementing the Lusaka Peace Agreement faithfully and promptly as originally envisaged.

(*Signed*) Eriya **Kategaya**
First Deputy Prime Minister/
Minister for Foreign Affairs

United Nations S/2001/462

Security Council

Distr.: General
9 May 2001
English
Original: French

Note verbale dated 4 May 2001 from the Permanent Mission of Burkina Faso to the United Nations addressed to the President of the Security Council

The Permanent Mission of Burkina Faso to the United Nations presents its compliments to the President of the Security Council and has the honour to inform him, in implementation of Council resolution 1333 (2000) of 19 December 2000, paragraphs 5 and 8 to 11, that Burkina Faso currently maintains no military or other relationship with the Taliban regime in Afghanistan and does not intend to establish such a relationship.

Furthermore, it should be noted that on 9 February 2001 the Government of Burkina Faso issued a notice to importers and exporters prohibiting all activities connected with the products referred to in resolution 1333 (2000), whether they are of Afghan origin or of Afghan provenance.

The Permanent Mission of Burkina Faso would be grateful if the President of the Security Council would have this note circulated as a document of the Council.

01-36678 (E) 090501 090501

United Nations A/ES-10/82–S/2001/463

General Assembly
Security Council

Distr.: General
9 May 2001

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 9 May 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In a meeting with the press yesterday, the Prime Minister of Israel, Mr. Ariel Sharon, confirmed the worst fears of the Palestinian side and those of the international community. Mr. Sharon's unyielding positions, which are reflective of his Government, come from the pre-peace process era in the Middle East and signal a total disregard of international law and the effective destruction of the existing agreements between the Palestinian and Israeli sides.

In his statements to the press, Mr. Sharon claims that the Palestinian Territory occupied by Israel since 1967 is "disputed" and "not occupied". He further rejects the cessation of settlement activities which can only mean, irrespective of his illogical justifications, that he does not accept the removal of these settlements as part of a final peace settlement. With regard to the negotiations between the parties, he makes the resumption of negotiations conditional upon the "total cessation of violence" and, even then, his aim would be to reach a "non-belligerency pact" followed by a very long period before the consideration of final status issues. This is obviously an Israeli attempt to impose a perpetual transition on the Palestinian side in order to escape the final settlement covering all pending issues mandated by the existing agreements between the two sides.

Mr. Sharon also claims that Israeli-imposed restrictions on the movement of Palestinian persons and goods are being exaggerated by the Palestinian side. As in the past, Mr. Sharon's statements distort history and reveal a starkly condescending attitude towards the Palestinian people and their national rights.

The entire international community does not accept the above-mentioned positions and statements, as reflected in the United Nations resolutions regarding, inter alia, the illegal status of Israeli settlements and the status of the Occupied Palestinian Territory, including Jerusalem, since 1967. We call on all members of the international community to reiterate their rejection and condemnation of such destructive positions and statements.

01-36660 (E) 090501

The Palestinian Territory occupied by Israel since 1967 remains occupied and Israeli settlements remain illegal and should be removed. Further, during negotiations all settlement activities should cease. We believe that if there is any territory of which the legal status is unclear or disputed, it is that part of the territory which was allocated to the Arab State in partition resolution 181 (II) and which was occupied by Israeli troops in 1948. Repeated Israeli attempts to undermine Security Council resolution 242 (1967) can lead only to emphasis of the above-mentioned fact, which remains valid unless and until a final settlement is reached between the two sides.

The sad reality of Mr. Sharon's positions and statements proves once more the urgent need for action by the international community to uphold international law, ensure respect of signed agreements and provide protection to the Palestinian civilians until the Israeli occupation is brought to an end and a final settlement is reached between the two sides.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations A/55/934–S/2001/464

General Assembly
Security Council

Distr.: General
9 May 2001
English
Original: Arabic

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Letter dated 9 May 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to convey to you the following.

In paragraphs 6, 7, 8, 10 and 11 of your interim report of 30 April 2001 on the United Nations Interim Force in Lebanon (UNIFIL) (S/2001/423), mention is made of a plan for the reconfiguration of the Force that would reduce its strength to 4,500 all ranks, that is to say to its level prior to 24 May 2000. Then in paragraph 11 of your report, you recommend that the Force should maintain a strength of about 3,600 until the end of January 2002, after the departure of the Irish contingent and the reduction of the Finnish contingent by some 350 troops.

In your interim report you also recommend that, at the end of July 2002, the Force should be reconfigured as an observer mission consisting of observers from the United Nations Truce Supervision Organization supported by two infantry units for reasons of security and logistics.

Given the foregoing, my Government is of the view that the reconfiguration of the Force in the manner you recommend would create a climate of instability in the area that might undermine the sense of security and safety created by the presence of UNIFIL and might impede the restoration of the very international peace and security of which you speak in paragraph 6 of your report. This is particularly likely in the new circumstances prevailing in the region, which are such that you are no doubt fully aware of their gravity and their negative implications.

My Government would also like to point out that, at the relevant time, you confirmed Israel's withdrawal to the Blue Line but that you did not confirm that this withdrawal had been completed up to the internationally recognized boundaries, as stipulated in Security Council resolution 425 (1978). It should also be recalled that Lebanon has placed on record its reservations with respect to the Blue Line, as reflected in your report of 16 June 2000 (S/2000/590).

01-36715 (E) 100501 100501

For all of these reasons, my Government conveys to you its insistence on the need for the Force's strength to remain at its approximate level prior to May 2000 and prior to any subsequent modification. It does so out of concern for the restoration of international peace and security by the Force performing its functions in the optimum manner pending the achievement of a comprehensive peace, as you state in paragraph 6 of your interim report.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Sélim **Tadmoury**
Ambassador
Permanent Representative

United Nations S/2001/465

Security Council

Distr.: General
10 May 2001

Original: English

Letter dated 9 May 2001 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 1 to 31 March 2001.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-36896 (E) 140501

Annex

Monthly report to the United Nations on the operations of the Kosovo Force

1. Over the reporting period (1-31 March 2001) there were approximately 43,000 troops of the Kosovo Force (KFOR) in theatre, with no major changes in deployment since the last report.

2. The conditional and controlled return of forces of the Federal Republic of Yugoslavia into the Ground Safety Zone began during the reporting period. The Federal Republic of Yugoslavia forces' entry into sector C (East) began on 14 March, and entry into sectors A and C (West) was completed on 26 March.

3. During March, over 130 Kosovo Albanian prisoners were released back into Kosovo at Gate 3 under ICRC arrangements as part of the Federal Republic of Yugoslavia's prisoner release programme.

Security

4. During the reporting period, the escalation of violence in the northern region of the former Yugoslav Republic of Macedonia[1] added a new dimension to the security situation in Kosovo. Acts of violence occurred in Mitrovica as well as across the province between ethnic groups. In addition, exchanges continued between ethnic Albanian armed groups and forces of the Federal Republic of Yugoslavia in the Presevo Valley and in the Ground Safety Zone.

5. Following incidents in the northern part of the former Yugoslav Republic of Macedonia, the border crossing points of Blace and Globocica were closed by that country's authorities on 4 March. The crossing points were reopened a few days later, but restrictions on movement imposed by the authorities affected both logistical resupply by KFOR to the Multinational Brigades, and contractors supporting UNMIK operations. On 7 March, KFOR soldiers who were targeted by members of the ethnic Albanian armed groups during a search operation in Mijak wounded two of the attackers in self-defence. On 29 March, KFOR forces in the Kosovo village of Krivenic came under fire by unknown forces. Two civilians were killed and 10 were injured during the attack.

6. Inter-ethnic intimidation continued during the reporting period. At the beginning of March, two elderly Kosovo Serbs were found beaten to death in Carakovce. Other violence included explosions or grenade attacks on several Kosovo Serb houses and other property in the areas of Vitina, Dragas and Gnijlane. On 23 March a Kosovo Albanian man was shot dead in Trnovac.

7. The situation in Mitrovica remains tense. On 1 March, there were two separate incidents. In the first, a crowd of 30 Kosovo Serbs threatened KFOR and UNMIK personnel when they stopped a car in the north of the town. The crowd attacked the KFOR and UNMIK vehicles with sticks. In the second incident, an UNMIK vehicle was surrounded by some 50 to 60 Kosovo Serbs who dragged an UNMIK policeman and a Kosovo Serb interpreter from the car. The interpreter fled, but the policeman was beaten and had his weapon and radio stolen. On 5 March near Srbica, KFOR forces cooperating with UNMIK police and members of the Kosovo Protection

[1] Turkey recognizes the Republic of Macedonia with its constitutional name.

Corps provided security during a commemorative gathering in Prekaze attended by 15,000 Kosovo Albanians, including 700 members of the Kosovo Protection Corps. Two men were wounded in the crowd, one of whom died from a shot to the head. On 9 March, several incidents ranging from stone throwing to starting fires took place in the "Three Towers" and "Montmartre" areas of the city. On 18 March, KFOR increased its presence to quell a tense situation following the sentencing of a Kosovo Serb to 30 days in jail for attacking two UNMIK policemen at the beginning of the month.

8. In a new initiative to improve the security situation in Mitrovica, meetings between the KFOR Commander, the Special Representative of the Secretary-General, the Deputy Prime Minister of Serbia, Nebojsa Covic, and Mitrovica Serbs were held in conjunction with UNMIK and KFOR. A working group was established to begin planning on 13 March.

9. The last of the demonstrations against the "Nis Express" bombing incident was held in Gracanica (Multinational Brigade (Centre)) on 1 March, during which three Kosovo Albanian cars and a bus were stoned by the crowd. On 5 March, UNHCR restarted the first two of 11 bus routes in the enclaves near Gnjilane. On 19 March, KFOR and UNMIK arrested five Albanians suspected of involvement in the "Nis Express" incident.

10. A riot of 200 to 300 Kosovo Serbs occurred in Partes on 12 March, when three vehicles were set on fire. Daily demonstrations of large numbers of Kosovo Albanians were held peacefully and, in the last week of the reporting period, in Decane, Pristina, Prizren, Glogovac, Kamenica, Kosovo Polje and Srbica, Kosovo Albanians demonstrated in support of the actions of ethnic Albanian armed groups in the former Yugoslav Republic of Macedonia or against the Krivenik incident.

11. Regarding other activities, on 4 March, Multinational Specialized Unit personnel seized 32 tons of cigarettes in a warehouse in Pristina, the caretaker was arrested, and three people were reported to the investigating judge

12. During the period, KFOR troops uncovered and confiscated significant amounts of weapons, ammunition and explosives, ranging from rifles to rockets and mines, in or near Letnica, Kraljane, Gnjilane, Patina, Brezna, Vitina, Donje Zlokcane and Dabedic Mahala. At least 18 Kosovo Albanians involved in the incidents were detained. The weapons destruction programme will resume once the necessary repairs to the weapons destruction facility have been undertaken.

Illegal border activity

13. KFOR troops continued to provide appropriate control of Kosovo's internal boundaries, external borders and recognized crossing points. KFOR reinforced control on the external border with the former Yugoslav Republic of Macedonia to deter and interdict cross-border infiltration. In the first part of the reporting period, about 25 suspected members of the National Liberation Army/ethnic Albanian armed groups were detained and, during the last 10 days of March, over 200 suspected members were detained and quantities of arms, mines, grenades and radios confiscated.

14. In the Presevo Valley and throughout the Ground Safety Zone, firefights, small arms and mortar fire were reported on a daily basis. A ceasefire was negotiated following heavy armed exchanges, but was breached several times. The areas most

concerned were Lucane, Car, Turija, Sveti Ilija, Gornji Vrtogos, Maxhere, Cerevajka, Ilince, Kurbalija, Dobrosin and Konculj Janovac. The heaviest fighting took place between 9 and 12 March and again between 24 and 28 March. On 7 March, forces of the Federal Republic of Yugoslavia were involved in a landmine accident in Orovica, just outside the Ground Safety Zone, which killed two and injured two others. Ethnic Albanian armed groups confirmed their responsibility in the seizure of four Serbs from Trnovac on 3 March, and captured two Yugoslav Army soldiers on 22 March bringing the number of Serb hostages being held by the ethnic Albanian armed groups/UCPMB to six. There have been numerous reports of groups of armed men in black battledress moving around in the Ground Safety Zone and involved in trench construction, resupplying, training, and laying defensive minefields.

15. KFOR continued to take action to prevent the illegal flow of supplies from inside Kosovo, increased its monitoring of the boundary, and refused to allow ethnic Albanian males of military age to cross into the Presevo Valley.

Security Council resolution 1160 (1998)

16. Although KFOR operations continue to result in weapons seizures there have been no reported violations of resolution 1160 (1998).

Cooperation and compliance by the parties

17. Over the reporting period, no cases of non-compliance were reported in the Kosovo Protection Corps (KPC). The KPC personnel establishment stands at 4,667 members, 115 of whom are from ethnic minorities. Thirty new members were included in March. The initiative to have all members registered with the International Organization for Migration and to have personal data verified continues.

18. The restructuring and training plan for the demobilization and transformation of the KPC reservists was discussed at the second joint KFOR-KPC Commanders' Conference held on 27 March. The new UNMIK KPC Administrator is responsible for ensuring continuity and consistency in UNMIK dealings with the Corps. The International Organization for Migration continues to approve projects related to the Kosovo Protection Corps which include community humanitarian initiatives and small improvements to KPC infrastructure. The engagement of the Corps in humanitarian work projects continues. Fifty-four out of 72 projects have been approved, 39 of which deal with humanitarian and 15 with infrastructure issues. Currently, the Kosovo Protection Corps is developing plans for the "Clean up Kosovo Day" campaign.

19. Security forces of the Federal Republic of Yugoslavia remain in general compliance with the terms of the Military Technical Agreement.

Cooperation with international organizations

20. KFOR continues to provide daily assistance to international organizations and non-governmental organizations throughout Kosovo, on request, and to provide security assistance in support of UNMIK police operations. In addition, KFOR troops continue to support safe conditions for minority returns, and to advise and assist the Organization for Security and Cooperation in Europe in planning for the

Kosovo-wide elections. The transfer of railway operations from KFOR to UNMIK was effected on 2 March; they had been under military control since July 1999.

Return of refugees and displaced persons

21. Following the UNMIK appeal last winter that returns be postponed until Spring 2001, only 1,475 refugees and displaced persons returned to Kosovo in January and February. Refugee returns in March had increased to 1,720.

22. UNHCR estimates that 8,500 refugees from the former Yugoslav Republic of Macedonia made their way into Kosovo during February and March, largely in response to the armed activities of the ethnic Albanian armed groups.

Outlook

23. The security situation in Kosovo has been adversely affected by the violence in the northern area of the former Yugoslav Republic of Macedonia and has increased the risk to KFOR personnel.

United Nations S/2001/466

Security Council

Distr.: General
10 May 2001

Original: English

Letter dated 10 May 2001 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council

I enclose herewith the text of the Declaration of Fundamental Principles of the Inter-Congolese Political Negotiations, signed in Lusaka on 4 May 2001 by the Congolese parties to the Agreement for Ceasefire in the Democratic Republic of the Congo (see annex).

It would be appreciated if the same is circulated as a document of the Security Council.

(*Signed*) Mwelwa C. **Musambachime**
Ambassador
Permanent Representative

01-36838 (E) 100501

Annex to the letter dated 10 May 2001 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council

[Original: English and French]

Declaration of Fundamental Principles of the Inter-Congolese Political Negotiations, signed by the Congolese parties to the Agreement for Ceasefire in the Democratic Republic of the Congo, Lusaka, 4 May 2001

Declaration of fundamental principles accepted by the Congolese signatories to the Lusaka Agreement

I. Preamble

Recalling the Lusaka Ceasefire Agreement and our agreement to do our utmost to facilitate inter-Congolese political negotiations which should lead to peace, national reconciliation and a new political dispensation in the Democratic Republic of the Congo, we, the Congolese Parties, namely the Government of the Democratic Republic of the Congo, the Congolese Rally for Democracy and the Movement for the Liberation of the Congo, hereby solemnly reconfirm our commitment to the following principles:

II. Principles

1. The reaffirmation of our respect for all the provisions of the Lusaka Agreement.

2. The sovereignty and territorial integrity of the Democratic Republic of the Congo.

3. National reconciliation and a new political order as the basis for rebuilding a Democratic Republic of the Congo where the people are united, reconciled and free of tribalism, regionalism, ethnicism and all forms of hatred.

4. The promotion of an environment for lasting peace, security and stability in the Democratic Republic of the Congo and the subregion.

5. The inclusion of the political opposition and the representatives of the *Forces Vives* of the nation in the inter-Congolese political negotiations, within which all participants have equal status.

6. The freedom of the political opposition and the *Forces Vives*, in all the provinces, at the invitation of the Facilitator after consultations with the Congolese parties, to designate their representatives to the Inter-Congolese Dialogue.

7. Consensus as the means for adopting all decisions regarding issues discussed during the inter-Congolese political negotiations.

8. Recognition, by all parties, of the binding nature of all resolutions adopted by consensus during the inter-Congolese political negotiations.

9. The organization of free, democratic and transparent elections in the Democratic Republic of the Congo after the transitional period.

10. The formation of a restructured, integrated national army.

11. The utilization of the natural resources of the Democratic Republic of the Congo in the interests of the whole country and for the improvement of the living standards of the Congolese people.

12. A final, irrevocable halt to all acts of violence against civilians through respect for and observance of human rights.

13. Support for humanitarian assistance across the whole country.

14. The principles in this declaration have been drawn up in accordance with the letter and spirit of the Lusaka Agreement, the provisions of which take precedence at all times.

This declaration has been produced in two versions, one French, and one in English; the French version remains the original.

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The Government of the Democratic Republic of Congo

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Movement for the Liberation of Congo

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Congolese Rally for Democracy

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Congolese Rally for Democracy-ML

Lusaka, 4 May 2001

United Nations S/2001/467

Security Council

Distr.: General
10 May 2001

Original: English

Letter dated 10 May 2001 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to forward the attached Government statement issued by the Republic of Sierra Leone on Wednesday, 9 May 2001, on the implementation of Security Council resolution 1343 (2001) concerning Liberia (see annex).

I should be grateful if the present letter and its annex could be issued as a document of the Security Council.

(*Signed*) Ibrahim M. **Kamara**
Ambassador
Permanent Representative

01-36850 (E) 100501

Annex to the letter dated 10 May 2001 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council

Implementation of United Nations Security Council resolution 1343 (2001) concerning Liberia

Consistent with its obligations as a Member of the United Nations, the Government of Sierra Leone has instructed all the competent Sierra Leonean authorities, including the departments of Customs and Excise, Immigration, the Police and other security bodies, with immediate effect, to comply with the relevant provisions of Security Council resolution 1343 (2001) concerning Liberia.

They shall take all necessary measures:

(a) To prevent the direct or indirect import through the territory of Sierra Leone of all rough diamonds from Liberia, whether or not such diamonds originated in Liberia;

(b) To take all necessary measures to prevent the entry into or transit through the territory of Sierra Leone of senior members of the Government of Liberia and its armed forces and their spouses, and any other Liberian individuals who provide financial and military support to armed rebel groups in the West African subregion, in particular, the Revolutionary United Front (RUF), unless such entry or transit is for the purpose of participating in official meetings of the Mano River Union, the Economic Community of West African States (ECOWAS) or the Organization of African Unity (OAU).

They have also been informed that the United Nations Security Council Committee established to monitor implementation of the sanctions against Liberia will authorize any further exceptions to the travel and transit restrictions.

The Government of Sierra Leone appeals to all States, in particular its sister States of ECOWAS, to support the full implementation of the relevant provisions of resolution 1343 (2001), which the Government of Sierra Leone considers as a peaceful way of restoring peace and stability in Sierra Leone and in the West African subregion as a whole.

United Nations A/55/936–S/2001/468

General Assembly
Security Council

Distr.: General
10 May 2001
English
Original: Spanish

General Assembly
Fifty-fifth session
Agenda items 26 and 182

Security Council
Fifty-sixth year

Cooperation between the United Nations and the Inter-Parliamentary Union

Follow-up to the outcome of the Millennium Summit

Letter dated 9 May 2001 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit to you, with the consent of the Inter-Parliamentary Union, the text of the resolutions adopted at the 105th Conference of the Inter-Parliamentary Union, held in Havana from 1 to 7 April 2001.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda items 26 and 182, and of the Security Council.

(*Signed*) Bruno **Rodríguez Parrilla**
Ambassador
Permanent Representative

01-36887 (E) 180501 210501

Annex to the letter dated 10 May 2001 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

[Original: English and French]

105th CONFERENCE OF THE INTER-PARLIAMENTARY UNION

The 105th Conference of the Inter-Parliamentary Union* was held in Havana (Cuba) from 1 to 7 April 2001, at the invitation of the Cuban Parliament. The Conference brought together 663 members of Parliament from 123 countries and the representatives of 25 observer delegations.

In the course of its proceedings, the Conference adopted the attached resolutions.

*** The Inter-Parliamentary Union's membership was as follows as at 7 April 2001:**

Members (141)

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Associate Members (5)

Andean Parliament, Central American Parliament, European Parliament, Latin American Parliament, Parliamentary Assembly of the Council of Europe

INTERNATIONAL ACTION TO MEET THE EMERGENCY SITUATION IN AFGHANISTAN, COMPOUNDED BY THE RECENT DESTRUCTION OF CULTURAL HERITAGE BY THE TALIBAN

Resolution adopted by consensus by the 105th Conference (Havana, 6 April 2001)

The 105th Inter-Parliamentary Conference,

Recalling its resolutions "Promoting greater respect and protection of human rights in general and in particular for women and children" adopted at its 96th Conference, "The prevention of conflicts and the restoration of peace and trust in countries emerging from war, the return of refugees to their countries of origin, the strengthening of democratic processes and the hastening of reconstruction" adopted at its 99th Conference, and "Action to combat the consumption and illicit trafficking of drugs and organised crime" adopted at its 100th Conference,

Recalling also the relevant United Nations Security Council resolutions, especially Nos. 1267 (1999) and 1333 (2000), United Nations General Assembly resolution A/55/243 of 9 March 2001, and the statements by the President of the Security Council on the situation in Afghanistan,

Calling attention to the relevant international conventions on combating terrorism, and especially the obligation of signatory States to hand over terrorists or prosecute them under criminal law,

Recalling the human rights principles to which the international community is committed, which are established in various United Nations declarations, conventions and covenants on political, civil, economic, social and cultural rights and have been repeatedly reaffirmed by the Union,

Recalling in particular that the Vienna Declaration and Programme of Action adopted in 1993 emphasise, *inter alia*, that the human rights of women and children are an inalienable, integral and indivisible part of universal human rights,

Appalled by the persistent violations of human rights in those parts of Afghanistan which are controlled by the movement known as the Taliban, especially the flagrant violation of the most basic rights of men, women and children,

Recalling the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted in The Hague on 14 May 1954,

Condemning the Taliban's decision to destroy Afghanistan's pre-Islamic and Buddhist cultural heritage and their implementation of that decision despite all the appeals by the international community and, indeed, the efforts of spiritual leaders from the Islamic world,

Also condemning the fact that the areas of Afghanistan controlled by the Taliban continue to be used as safe havens for terrorists and for training, planning and organisation of terrorist activities,

Deeply concerned at the fact that the territory under the control of the Taliban has emerged as one of the largest drug-producing areas of the world,

1. *Calls on* the Taliban to comply immediately with United Nations Security Council resolutions 1267 (1999) and 1333 (2000);

2. *Urges* all States to ensure strict compliance with all the measures imposed in resolutions 1267 (1999) and 1333 (2000);

3. *Exhorts* the Taliban to respect human rights, in accordance with the relevant international declarations, conventions and covenants;

4. *Urges* the Taliban, in particular, to end the grave violations of the human rights of women and girls, and especially all forms of discrimination against them;

5. *Calls on* the Taliban, in particular, to guarantee that women and girls have unrestricted and equal access to health care, education and employment outside the home;

6. *Strongly urges* the Taliban to lay down their weapons and initiate negotiations with the Afghan Government, immediately and without conditions, under the auspices of the United Nations, with the objective of forming a multi-ethnic, democratic and representative government;

7. *Demands* that the Taliban reverse their decision to destroy Afghanistan's pre-Islamic and Buddhist cultural heritage, and cease the destruction immediately;

8. *Enjoins* the Taliban to close all terrorist training camps in the areas under their control, to surrender wanted terrorists to countries where they could be tried and to stop granting sanctuary to international terrorists and their organisations;

9. *Calls on* the Taliban once and for all to end all illicit trafficking of drugs in the areas under their control and to impose a genuine and permanent ban on the cultivation of opium poppies, the proceeds of which finance Taliban activities;

10. *Urges* the Taliban to guarantee safe and unrestricted access for aid agency workers and humanitarian supplies to all those in need of assistance in the areas under their control without discrimination or conditions;

11. *Calls on* the United Nations Security Council to condemn energetically the actions of the Taliban in Afghanistan and to appeal to UN Member States to take appropriate measures with a view to ending violations of the fundamental principles of international law and human rights in Afghanistan.

EDUCATION AND CULTURE AS ESSENTIAL FACTORS IN PROMOTING THE PARTICIPATION OF MEN AND WOMEN IN POLITICAL LIFE AND AS PREREQUISITES FOR THE DEVELOPMENT OF PEOPLES

Resolution adopted by consensus by the 105th Conference
(Havana, 6 April 2001)

The 105th Inter-Parliamentary Conference,

Mindful that more than fifty years have passed since every person's right to education and to participate in the cultural life of the community was set forth in the Universal Declaration of Human Rights, which also asserts that elementary education shall be compulsory and that technical and professional education shall be made generally available,

Calling attention to the right to development established in the Declaration on the Right to Development, and reaffirmed at the World Conference on Human Rights held in Vienna from 14 to 25 June 1993,

Referring to the report entitled "Our Creative Diversity" by the World Commission on Culture and Development, the report "Learning: The Treasure Within" prepared for UNESCO by the International Commission on Education for the Twenty-first Century, the World Education Forum's Dakar Framework for Action "Education For All: Meeting Our Collective Commitments", and the conclusions of the Stockholm Intergovernmental Conference on Cultural Policies for Development,

Aware of the many close links between education, culture, democracy and development, and *stressing* that education and culture are the basis for both democratic participation and economic and social progress,

Reaffirming its attachment to the promotion and consolidation of democracy, and *acknowledging* that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the peoples to choose their own political, economic, social and cultural systems and their full participation in all aspects of life,

Noting that environmental issues affect both developed and developing nations and place the survival of humankind at risk,

Aware of education's potential as an engine for progress in all dimensions of development – political, economic, social, cultural and ecological, and *also aware* that stagnant education systems and undervalued cultural traditions are a threat to democracy,

Stressing that the major obstacles encountered by women which are difficult to overcome by legislation are tradition and a mode of education that impose a distinction between men and women, deny women an education so condemning them to illiteracy, and maintain them in ignorance of their political rights; as well as economic obstacles, which deprive women of their right to education,

Mindful that education is both an important prerequisite for participation in cultural life and for democratic participation, and essential to the acceptance and development of democratic values in a process which must involve every person,

Aware that only strong cultural roots enable individuals and societies to develop critical awareness, shape the present and the future and meet the challenges they pose advisedly, and that protecting and preserving cultural heritage is therefore an important political task; *also aware* that cultures are in constant evolution, and *believing* that new trends, particularly globalisation, while linking cultures ever more closely and enriching interaction, may also pose a challenge to our creative diversity and to cultural pluralism, making mutual respect all the more imperative,

Recognising that education and cultural policies must take account of universal human rights while preserving cultural diversity, and should therefore promote and respect regional, national and universal values,

Also recognising that sustainable economic and social development requires broad democratic participation, which means taking into account the characteristics of the various cultures,

Further recognising that civil society is playing an increasingly significant role, especially in culture, and that one of the most important tasks of cultural policy is to afford creative energies the scope they need in order to develop,

Aware that modern information and communication technologies can facilitate and improve access to education and participation in the democratic process,

Fearing nonetheless that the gap between those who have access to education and culture and those who do not may continue to widen, education being a prerequisite for participation in the information society,

Recognising that globalisation implies not only enormous challenges for humanity but also opportunities, thanks in particular to the fantastic expansion of information and communications technologies which facilitates wider dissemination of universal human values, *concerned* nonetheless at the widening "knowledge gap" - the disparity in the capability of countries or groups within countries to participate in the gains of technological innovations and new means of communication - and at the fact that unequal access to both new and traditional means of cultural expression can seriously affect an individual's or a community's membership in, or exclusion from, the knowledge society,

Affirming that women's rights are an integral part of the social, economic, political and cultural human rights laid down in the Universal Declaration of Human Rights and as such may on no account be infringed,

Underscoring that international commitments to the advancement of women and the introduction of appropriate national policies and programmes are matters that lie solely within the purview of States, which have to take account of social, economic and political circumstances, cultural and social values and national traditions,

Deeply concerned that in 2000, according to the World Education Forum, more than 100 million children and young people, especially girls, had no access to primary schooling and 880 million adults were illiterate,

1. *Asserts* that education is a prerequisite for promoting sustainable development, securing a healthy environment, ensuring peace and democracy and achieving the objectives of combating poverty, slowing population growth, and creating equality between the sexes, and that culture is a fundamental component of the development process;

2. *Demands* that women be given the benefits of education, literacy and vocational training programmes, and to this end *suggests* that:

   (a) Girls' schooling must be on a par with that of boys;

   (b) Governments, NGOs and other concerned bodies should organise awareness-building campaigns to encourage families to send their daughters to school;

   (c) Schooling for girls should be subsidised and school supplies provided free of charge in order to overcome any material difficulties;

   (d) Compulsory schooling should be as long for girls as for boys;

   (e) Efforts to combat adult illiteracy should be encouraged by introducing and implementing intensive programmes, with a view to promoting women's participation in political life;

   (f) In order to encourage women's participation in political life and raise awareness of their role in politics, curricula should include straightforward instruction on such matters at all levels;

   (g) Teaching curricula should be rid of all content implying any form of gender-based discrimination;

3. *Stresses* the importance of cultural values and background to the social advancement of women and to a more balanced vision of men's and women's roles in public and private life, and the need to avoid undermining the cultural stability of societies or imposing values alien to the national culture. To that end, it would be useful to:

   (a) Foster gender equality and partnership in order to generate a synergy between men and women enabling them to cope equally with the problems of society;

   (b) Instil respect for the household duties that women traditionally perform and acknowledge that these duties should be shared between the sexes so that both may reconcile them with their social, professional and political activities;

   (c) Show examples and models of equality and complementarity between men and women, through education both at home and at school;

   (d) Make judicious use of the media to give a positive image of women's dynamic role in both the family and society; and develop women's skills and abilities by involving the media in programmes to disseminate the values and images established in national and international strategies for the advancement of women;

4. *Emphasises the need* to design education and cultural policies that contribute significantly to sustainable political, social, environmental and economic development, in particular by improving access to education and culture;

5. *Stresses* the importance of viewing education and cultural policies as key components of an independent and sustainable development policy and ensuring that they are implemented properly in coordination with policies in other fields; *urges* both developed and developing nations to reinforce environmental education in school curricula and in the media; *stresses* the important role that the media play in the treatment of issues relating to women and in shaping the dominant culture and values, and *emphasises* the need to instil in society a balanced vision of the role of women and ensure that both men and women enjoy the same cultural and political education;

6. *Underscores the need* to promote knowledge and understanding of cultural and linguistic diversity through education and cultural policies and to develop such diversity in accordance with principles that foster peace, human rights and democracy;

7. *Calls* for the adoption of cultural policies which help to ensure that every person is able to exercise his or her right to participate freely in cultural life, as set forth in Article 27 of the Universal Declaration of Human Rights;

8. *Emphasises* the need to place education high among the priorities of national budgets and to promote actively education conducive to the mastery and creative use of science and new information technologies by the younger generations and the training of teachers in science and new technologies;

9. *Strongly emphasises* that the development of education calls for a vast increase in international assistance to education in developing countries, *urges* that the latter be given all possible assistance in their efforts to promote democratic values through education, and *recommends* in particular promoting cooperation among developing countries so that they benefit from knowledge of other cultures and other experiences of development;

10. *Emphasises the importance* of ensuring the financial and social independence of women, since financially independent women are more inclined to participate in political life; and to that end:

    - To take the necessary steps to promote women's access to vocational training and the job market on an equal footing with men;

    - To ensure that women have no difficulty in obtaining bank loans and credits, and to help them to set up small companies;

11. *Calls* for the intensification of political efforts to preserve tangible and intangible cultural heritage, and *advocates* that every culture that respects others be accorded the right to equal acknowledgement of its identity;

12. *Urges* all parliamentarians to familiarise themselves with the conventions relating to women's rights and the resolutions adopted by conferences on women, to publicise them through all local, national and regional bodies, and to take account of them in national legislation and strategies to improve the status of women;

13. *Calls on* parliaments, governments and NGOs to step up their efforts to involve women actively in political and economic life, to alert developing countries to this issue and to make them aware of the need to eliminate prejudice against women;

14. *Implores* all parliaments, governments, international agencies and NGOs to acknowledge the social, political and economic impact of the HIV/AIDS pandemic on men, women, and children, and to actively implement and/or accelerate educational programmes to curb the spread of the pandemic and to encourage people to retain HIV negative status;

15. *Calls* for greater involvement of civil society in education and cultural policy;

16. *Expresses its conviction* that all States must promote, at every stage of education, an active civic learning process enabling all to become acquainted with their history and cultural roots, the functioning and activities of local, national and international political institutions, to become familiar with the procedures for settling fundamental issues and to participate in the cultural life of the community and in public affairs, focusing in particular on gender equality, and *stresses* that such participation should as far as possible result in ever closer ties between education and action to resolve local, national and international problems;

17. *Underscores* the importance of utilising modern information and communication media to facilitate access to education and culture while respecting the rights to freedom of opinion and freedom of information set forth in Article 19 of the Universal Declaration of Human Rights;

18. *Stresses* the need to encourage the active participation of civil society in the media in order to draw attention to the issues addressed by this resolution;

19. *Emphasises* the necessity of developing the technical infrastructure of modern information and communication systems in such a way that they can be used by as many people as possible, and of promoting new media skills through education and training programmes; *calls* for wide-ranging efforts by developed countries to bridge the digital divide by actively providing developing countries with both technical assistance and support for education in information technologies, and *urges* States to monitor Internet sites and ban access to unacceptable ones, particularly child pornography;

20. *Invites* States and other players to work actively to close the gender gap and to make education for women and girls the top priority of education policy; *urges* States to adopt cultural policies that respect gender equality and fully recognise women's equality of rights and freedom of expression, thereby ensuring their ability to participate fully in all aspects of cultural, economic, social and political life; and *calls* for the involvement of women in the preparation and implementation of general development policies, in which they are both actors and beneficiaries;

21. *Stresses* the need to implement the education policy commitments adopted by the World Education Forum in its Dakar Framework for Action "Education For All: Meeting Our Collective Commitments" and the "World Declaration on Education for All" as swiftly and effectively as possible, in particular by:

    - Ensuring that by 2015 all children, especially girls, children in difficult circumstances and children from ethnic minorities, have access to free, high-quality compulsory primary education and complete such education;

- Achieving a 50 per cent improvement in adult literacy levels by 2015;

- Eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015;

- Backing UNESCO in its task of mobilising and orchestrating support for countries in their efforts to fulfil the Education for All (EFA) commitments at national, regional and international level;

22. *Calls* for regional and international cooperation in the field of education and cultural policy, in order to respond to the challenges of globalisation and technological progress;

23. *Calls* on the members of the IPU to report on the implementation of and follow-up to this resolution through the reporting mechanism established within the IPU.

CONTRIBUTION OF THE WORLD'S PARLIAMENTS TO THE STRUGGLE AGAINST TERRORISM, IN CONFORMITY WITH RESOLUTION 55/158 OF THE UNITED NATIONS GENERAL ASSEMBLY

Resolution adopted by consensus by the 105th Conference
(Havana, 6 April 2001)

The 105th Inter-Parliamentary Conference,

Guided by the purposes and principles set forth in the United Nations Charter (first preambular paragraph of UN General Assembly resolution 55/158),

Aware that the Inter-Parliamentary Union shares the principles and objectives of the Charter and that its activities complement and support the work of the United Nations (third preambular paragraph of the Cooperation Agreement between the UN and the IPU),

Deeply disturbed by the persistence of terrorist acts and their intensification worldwide (seventh preambular paragraph of UN General Assembly resolution 55/158),

Mindful of the importance of resolution 55/158 (Measures to eliminate international terrorism) adopted by the United Nations General Assembly,

Stressing the need to strengthen further international cooperation between States and between international organisations and agencies, regional organisations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whoever committed, in accordance with the principles of the Charter, international law and relevant international conventions (eighth preambular paragraph of resolution 55/158),

Convinced that all parliaments can make a major contribution to combating international terrorism in accordance with the above-mentioned resolution,

Stressing the importance of taking appropriate steps to deny safe haven to those who finance or commit acts of terrorism by ensuring their apprehension and prosecution or extradition (nineteenth preambular paragraph of resolution 2000/30 of the Commission on Human Rights),

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable regardless of their motivation, wherever and by whomever committed (operative paragraph 1 of resolution 55/158 and operative paragraph 1 of resolution 2000/30 of the Commission on Human Rights);

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them (operative paragraph 2 of resolution 55/158);

3. *Urges* all States and governments to renounce and outlaw the financing, encouragement, provision of training or support for terrorist activities, as well as the conduct on their territory of terrorist activities against other States, individuals or groups of individuals;

4. *Also urges* all parliaments in the world to promote the adoption of further measures in accordance with the United Nations Charter and the relevant provisions of international law, including international standards of human rights and the principle of self-determination, to prevent terrorism and to strengthen international cooperation in combating terrorism (operative paragraph 3 of resolution 55/158);

5. *Reaffirms* the determination of all parliaments to help strengthen international cooperation in this field in order to promote, both nationally and internationally, the adoption and application of effective measures to combat international terrorism and to repress it by prosecuting and punishing the perpetrators.

SECURING OBSERVANCE OF THE PRINCIPLES OF INTERNATIONAL LAW IN THE INTERESTS OF WORLD PEACE AND SECURITY

Resolution adopted by consensus by the 105th Conference (Havana, 6 April 2001)

The 105th Inter-Parliamentary Conference,

Affirming the validity of the principles of international law and the duty of all States, as enshrined in the Charter of the United Nations, to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered; and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State,

Recalling that the signatory States of the United Nations Charter are bound to respect the principles of non-intervention, self-determination, and the protection of human rights,

Reaffirming that the General Assembly is the most representative organ of the United Nations and that the United Nations Security Council has primary responsibility for the maintenance of international peace and security,

Acknowledging that, as part of their crucial role and responsibility, in ensuring the peace, order and good governance of the peoples and territories they represent, national parliaments have a duty to incorporate in domestic law international obligations and commitments assumed in respect of peace and disarmament, humanitarian law and human rights law,

Recognising that the Inter-Parliamentary Union, as the world organisation of parliaments, plays an important role in promoting peace and international cooperation in furtherance of and in conformity with the purposes and principles of the Charter of the United Nations (Article 1, UN-IPU Cooperation Agreement),

Reaffirming the importance of the observance and implementation of the norms and principles of international humanitarian law,

Recognising that any attempt to use international law, including international humanitarian law, as a lever for the advancement of politically motivated objectives seriously obstructs efforts to secure greater respect for the purposes and principles of international law,

Considering that the existence and development of nations depend to a large extent on respect for the international law that governs relations between them and on growing awareness that any breaches of it are likely to threaten them and even jeopardise their existence,

Considering that since the diversity of its sources has made international law difficult to apply in some cases, efforts to promote its codification need to be pursued,

Welcoming efforts by the United Nations to develop and update the rules of international law to respond to new circumstances, and *commending* the work of the International Law Commission, which has successfully prepared drafts of international instruments covering various fields,

Deeming it essential to respond effectively to new types of threats, in particular by taking steps to combat organised crime, narcotics production and trafficking, money laundering and terrorism,

Welcoming the development of other norms of international law designed to minimise threats to international peace and security, through the prohibition and restriction of the use of weapons of mass destruction and certain conventional weapons, the elaboration of the laws of armed conflict, the protection of fundamental human rights and the status of refugees, and the coordination of technical and development assistance,

Welcoming and *fully supporting* United Nations Security Council resolution 1325 (2000), entitled "Women and peace and security", and *bearing in mind* the specific recommendations on women and war made in the Beijing Platform for Action, and the outcome document of the "Beijing+5" Special Session of the United Nations General Assembly,

Welcoming especially progress toward the establishment of the International Criminal Court, which will play a crucial role in securing observance of the principles of international law in the interests of world peace and security by providing a forum to investigate and prosecute, in cases where no State is genuinely able or willing to do so, the commission of the worst crimes of international concern, namely the crime of genocide, crimes against humanity and war crimes,

Underscoring the importance of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the Manila Declaration on the Peaceful Settlement of International Disputes, and the resolution adopted by the United Nations General Assembly at its 44th session proclaiming the period from 1990 to 1999 as the "United Nations Decade for International Law",

Mindful of the resolution adopted by the 90th Inter-Parliamentary Conference (September 1993) concerning "Respect for international humanitarian law and support to humanitarian action in armed conflicts", and of the resolution adopted by the 91st Inter-Parliamentary Conference (March 1994) on "Prevention of conflicts, maintenance and consolidation of peace: Role and means of the United Nations and regional organisations", and the resolution adopted by the 104th Conference (October 2000) regarding economic sanctions, especially operative paragraph 10 urging States to envisage the elaboration of an instrument of international law codifying the humanitarian standards to be respected when economic sanctions are introduced,

Supporting recent efforts to improve protection for the rights of women and children in times of conflict and times of peace alike, in particular through recent conventions and protocols,

Urges States to respect the principles of international law by refraining from interfering in the domestic affairs of other States, in conformity with the United Nations Charter;

2. *Condemns* the use of coercive measures which would deny the peoples their right to self-determination, freedom and independence and *further condemns* the resort to the use of force in contravention of the Charter of the United Nations;

3. *Calls on* States to refrain from applying coercive unilateral measures with extra-territorial effects which hamper the flow of international trade and impair the legitimate right of peoples to economic, financial and trade development;

4. *Also calls on* all States to strive to settle their differences by peaceful means in conformity with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and the Manila Declaration on the Peaceful Settlement of International Disputes and *reaffirms* in this context the right freely to choose among those means;

5. *Stresses* that States must strive to reduce differences between their political, economic and social systems and must cooperate with each other on all levels with a view to maintaining international peace and security, promoting worldwide stability and economic progress, and ensuring the prosperity of all peoples and all nations, without imposing any conditions;

6. *Urges* all States to consider, if they have not yet done so, acceding to and/or ratifying international instruments, as appropriate, in particular the Protocols additional to the Geneva Conventions, the Rome Statute establishing the International Criminal Court and *recalls* that, in establishing the crimes falling within the jurisdiction of the International Criminal Court, the latter's Statute defines rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence both as war crimes and, when committed as part of a widespread or systematic attack directed against any civilian population, as crimes against humanity.

7. *Calls* for a complete ban on all weapons of mass destruction and on the transportation of the components of weapons of mass destruction through the air space and/or the exclusive economic zones of other countries and *further calls* for ratification of the Convention on the Total Prohibition of Anti-personnel Mines, and for application of the standards thus subscribed;

8. *Welcomes* the endeavours of the United Nations in framing international instruments, particularly those of the International Law Commission, and *recommends* that such efforts be continued, taking the following into account:

   - The need to prepare the ground before proceeding with codification, not only by studying bills but also by bringing States closer together on points where their views diverge or their interests clash;

   - The purpose of codification is not merely to maintain existing rules indefinitely, but to revise them progressively, introducing any amendments needed to harmonise them with developments in international life;

   - Systems of codification must include an amendment procedure whereby a qualified majority shall suffice to take decisions that are binding on all States that have approved those systems;

9. *Urges* States and the United Nations to secure greater participation by women in decision-making relating to the prevention, management and peaceful settlement of conflicts, and to that end *fully supports* UN Security Council resolution 1325, particularly paragraphs 3 and 4, which seek to strengthen the role of women in this field;

10. *Further urges* all parliaments to ratify and implement the United Nations conventions that concern women and more particularly the Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children;

11. *Urges* governments and parliaments to raise awareness among their military personnel, law enforcement agents and civilian personnel of war crimes of a sexual nature and the sanctions that apply to them.

United Nations S/2001/469

Security Council

Distr.: General
10 May 2001

Original: English

Letter dated 7 May 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

I wish to draw the attention of the Security Council to the letter dated 27 April 2001 from the Permanent Mission of the Democratic Republic of the Congo addressed to the President of the Security Council (S/2001/420).

We are deeply shocked by the murder of staff of the International Committee of the Red Cross (ICRC) and extend our sincere condolences to ICRC and the families of the victims. We would be grateful if an investigation could be made in order to ascertain the perpetrators of such horrors and also if an action could be taken to punish the authors.

We would like, however, to sort out once again the manoeuvres of the Chargé d'affaires of the Democratic Republic of the Congo, who deliberately creates a horrendous confusion in the last paragraph of his statement on page 1, linking Rwandan authorities to the so-called criminal and mafia movements. This is a clear indication of the ill-intents campaign of the leadership of the Democratic Republic of the Congo to mix things up and divert the attention of the international community from real issues and concerns following the positive response of the Rwandese Government to implement without any further delay the Lusaka Peace Agreement.

To avoid the deepening of confusion among the members of the Security Council and States Members of the United Nations, my Government would like this letter to be circulated as a document of the Security Council.

(*Signed*) Anastase **Gasana**
Ambassador
Permanent Representative of Rwanda to the United Nations

01-36844 (E) 100501

United Nations S/2001/470

Security Council

Distr.: General
10 May 2001

Original: English

Letter dated 8 May 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Angola to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the text of the statement made by Jose Eduardo dos Santos, President of the Republic of Angola, at the opening of the Peace Conference held in Luanda on 2 May 2001 (see annex), and respectfully request that it be circulated as a document of the Security Council.

(*Signed*) Joaquim A. B. B. **Mangueira**
Chargé d'affaires a.i.

01-36862 (E) 110501

Annex to the letter dated 8 May 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Angola to the United Nations addressed to the President of the Security Council

STATEMENT BY HIS EXCELLENCY JOSE EDUARDO DOS SANTOS PRESIDENT OF THE REPULIC OF ANGOLA AT THE OPENING OF THE PEACE CONFERENCE HELD IN LUANDA ON 2 MAY 2001

My Fellow Angolans,
Distinguished Guests,
Honourable Participants,
Ladies and Gentlemen,

The sponsors of this conference asked for an in-depth analysis of democracy in Angola. This event is a commendable and timely initiative, particularly given the fact that this audience consists of such outstanding members of the Angolan society, from different backgrounds and expertise in various areas of knowledge and science, with a wealth of accumulated experience.

I am sure that the findings of their study and reflection on the causes of the main and current problems in Angola will be useful to the leaders of our political parties and to the nation, as well as to the members of our civic associations, in addition to being a valuable contribution to the search for mutually agreed solutions.

Many of our problems are as old as Angola itself and they are very complex. Other problems, political in nature, date back from the time of the independence of our country but are equally intricate.

The former are related to the building of the Angolan nation and to the borders defined in the Berlim Conference of 1885 and by other agreements made among the colonial powers. Those problems are dealt with and solved in a systematic manner, based

on our country's basic law and on the widely accepted or at least consented principle "From Cabinda to Cunene, one sole people, one sole nation". The latter are the problems that this conference is going to discuss and they derive from a number of relationships of interconnected Angolan and foreign interests, in a web of schemes, mechanisms and instruments in which there are two kinds of players: the nationalists, that is the "patriots", who are conscious of their sacred duty to defend the African people and their interests, and those who serve as agents of neo-colonialism, and who are more concerned with their personal interests and fulfilling their ambitious.

The distinction between these two categories is clear from the attitude and the behavior that display toward our common history and heritage. The former are driven by positive action, the building of common assets and values, whereas the latter act under disguise because they only serve their masters well if they spread the confusion and chaos that allow the looting and pillage of the country's resources.

This is something that is happening across our continent. The concurrence of factors or the systematic way in which this activity is managed can lead us to conclude that it is the conservative high finance circles within the international community that exert control over the means to carry on most activities, either political, economic, financial, media-related and even military, in order to subdue those African patriotic elite groups that stand out in the economic and intellectual arenas in their efforts to preserve or to recover the economic and political influence they lost with the end of colonialism.

This is a trend that contradicts the march of history that brought independence to our countries and allowed for today's partnerships in business, based on mutual respect and the sharing of the benefits. Some of those connections are responsible for the scourge that our people have endured for so many years.

My country has been immersed in successive wars for the last 40 years which we can divide into three stages, all of them connected to each other by the common thread that the process for a total liberation of Angola that is still ongoing.

1. The national liberation war against the Portuguese colonialism, which ruled Angola for approximately 500 years, a war that lasted from 1951 to 1963 (14 years).

2. The war of aggression and the occupation of part of the national territory by the South African 'apartheid' regime army, from 1975 to 1988 (13 years).

3. The senseless civil war driven by a large-scale foreign interference process that started in 1988 and is still going on today.

For each of these stages, a corresponding political agreement was signed to put an end to the armed conflict.

1. The Alvor Agreement of 1974 created the conditions for the proclamation of the independence of Angola on 11 November 1975.

2. The New York Accords of December 1988 provided for the cessation of the war of aggression against Angola and the withdrawal of the South African forces to create the conditions for the independence of Namibia and the abolition of Apartheid.

3. The Bicesse Accords of 1991 reached after the failure of the Gbadolite Accords in 1989 and the Lusaka Protocol that concluded it. Those agreements were suppose to accomplish a cessation of the civil war and of all related foreign connections.

That did not happen and it is not difficult to understand the reasons why, if we look more closely at this question.

1. The schemes and instruments put into place during the cold war by the Western powers, in order to support the multiple UNITA activities, including the war, have not been all deactivated.

2. The United States only recognized the independence of Angola officially in 1993 and since then, there is still a very slow process of confidence-building developing between that government and the Angolan authorities.

3. 'Apartheid' has been abolished, but some of the connections that existed between Mr. Savimbi and his mentors have not ended.

4. Some French special sectors continue to act according to the plan of action followed by the late General Marenches,

who helped Savimbi organize his guerilla force in 1976, with the complicity of some African countries. Savimbi himself reveals this in his book.

Through such connections, one can exert political and diplomatic influence, engage in the traffic of diamonds to obtain revenue and buy illegal arms and equipment, foodstuffs and other logistic means to feed an unfair and inglorious war. For that reason, the United Nations imposed sanctions and every country, without exception, should do away with these obsolete schemes inherited from the cold war, and in this way contribute to peace.

My Fellow Angolans,
Ladies and Gentlemen,

I know that my Government has been called presumptuous and arrogant in certain circles by members of some civic associations and they certainly deserve our consideration and respect. However, the complex problems of our internal relations and defense of our national interests, which are linked to the issue of sovereignty, cannot be solved neither in a casual nor in an emotional way.

In truth, when looking at the implementation of all these Accords by the signatory parties, anyone would agree that the good faith, the judiciousness and flexibility of the Angolan Government and of the MPLA could rarely be put into question.

The MPLA and the Angolan Government always endeavor to safeguard what they won and achieved from these Accords.

1. The MPLA proclaimed and preserved our national independence as a result of the Alvor Agreement.

2. It set up and protected our democratic institution created after the general elections held in accordance with the Bicesse Accords.

3. It preserved the Government of National Unity and Reconciliation, the Single National Army and the Integrated National Police, formed on the basis of the Lusaka Protocol.

Mr. Savimbi's UNITA, in turn, viewed all of the Accords that he signed as a tactical move designed to win time and strengthen his military capacity.

He blocked the implementation of an agreement whenever he felt reinvigorated and capable of launching a final assault to the state power through anti-democratic means. When trying to do this through his connections and outside support systems, he would always rely on his friends and allies from the Cold War time.

After he failed to comply with an agreement, he would start raising exponentially the level of the violence of his attacks, causing enormous destruction and other immeasurable damage to our nation.

Mr. Savimbi's radical stance in this respect leads me to conclude that a political compromise was never part of his own agenda.

On the other hand, the emphasis on the role of these outside factors in the continuation of the conflict is justified by the existence of a neo-colonialist design.

In the olden times, the patriots that opposed such design were considered to be agents of communism, terrorists and brigands. Today, they are branded as incompetent, gangsters, corrupt, autocrats, etc. What matters is that the people knew who defends them. They know that it is the MPLA that promotes economic and political in the plural sense, with a view to the building of a true democracy.

This stance is inspired by the new political and ideological culture that stems from its character documents. In fact, the MPLA was the driving force behind the reform not only of the political system but also of the economic and in part, at least so far, of the judicial system, and it also instituted and continues to develop a process of internal democratization. He is aware that the democratization of society and of the state must be accomplished by a democratic party. A non-democratic party that wants to be involved by taking on a task of this nature will not be able to survive.

To this conclusion, I might add that another deep-rooted cause of the armed conflict in Angola is the considerable slow pace in the democratization of UNITA.

UNITA, as a political party, has a place in our society and the legal status that it needs to carry on its normal activities as a party. It does not need to resort to illegal schemes to engage into politics.

It can hold conferences, congresses, seminars, practice proselytism, etc. like all the other parties, adapting to our time, because the cold war has ended and many of yesterday's enemies became today's partners.

My Fellow Angolans,
Ladies and Gentlemen,

The word peace should be the most uttered word in our country today. I do not believe that there is one single Angolan who does not want to see his or her country in peace very soon.

Nevertheless, if we ask every person what could be the road leading to that peace, there would be several different answers.

In this matter, just as in any other issue, the Government states its position taking into account the will of the majority of the people, especially the opinion of the so-called "Deep Angola" people.

Some of those people from different corners of Angola wrote thousands of letters to the late Maitre Beye and to the Peace Process Joint Commission denouncing the flight of UNITA soldiers from the billets, and the smuggling of weapons to hiding places and alerted them to the risk that threatened their lives. Many of these same people became victims of military sieges of towns and villages, and the target of extreme and indiscriminate violence like the inhabitants of Cuito, Malange, and other communities.

In 1998, from these besieged places and other communities, members of the local traditional authorities "sobas", youths and even women asked for arms from the Armed Forces Chief of Staff and to the President of the Republic, in order to protect their lives and their property.

We had very few weapons. Our army, restricted by the peace agreements, was not doing any training or military maneuvers, and was not doing any maintenance operations with its equipment because the military personnel could not easily move from place to place.

On this side, no one was prepared for the war but the peace in which all of them had believed, gave place instead to a horrible nightmare.

Many international observers predicted the fall of our rule in a few months. That would signify the death of democracy and freedom, and the postponement of the realization of the dream of a new and prosperous Angola for all.

The people did not want us to lose what we had achieved. They chose to resist by fighting back. We got army volunteers from every province. Then, the war to end the cold war broke out, we fought in it not because we enjoyed it, but simply because somebody else initiated the onslaught on the established power by engaging in a total unrelentless war, which forced us to respond in order to enforce the peace accords and the laws of our Republic.

Those laws establish the rules of social integration and provide guidelines for their mutual relations as well as for the relations between political parties and the civic associations and the Government, based on the respect of the human being and his or her legitimate property and on the rejection of the use of violence against any individual or the State.

To conclude, applying the principle of "a war to end the war" was the means for legitimate defense adopted by the people and the State in the face of a recalcitrant aggressor's attacks, and it aimed at forcing him to embrace a fair and lasting solution for peace!

This is the stage in which we are presently, a stage in which democracy must be and improved ever more, as we are aware that without democracy, we will lack the minimal conditions for a peaceful settlement of this conflict. In fact, to dissipate forever the specter of war that has loomed on the horizon for the Angolan people, we need to respect the plurality of views and accept the regular polling of the people's opinion, in summary, use the electoral process as one of the legitimate forms of exercising power.

We also want to lay the foundation for a society and a culture of tolerance and merit, through an increasing and healthier competition in all aspects of life, in which we will see more of events like this one, as a forum to discuss and reflect on the paths for peace.

The Government also thinks that a lasting peace for Angola is not just a political issue but also a question of law. The right to peace for the Angolan people is provided for in our constitutional law. The Bicesse Peace Accords and the Lusaka Protocol were

included in our national legislation as approved by our National Assembly, and through the pertinent United Nations resolutions, the signatories of the Accords took on certain obligations before the international community.

From all that I said, it is clear that we do not condone war because we witness and feel in our body and soul its direct and indirect impact.

For that reason, the Government announced a Four-Point Agenda for Peace that reinforces our compliance with the Lusaka Protocol and our determination to hold general elections.

However, we have to point out a new fact. Mr. Savimbi, after a hiatus of six months, re-appeared and declared that he accepts the Lusaka Protocol. Now, we need him to tell us when is he going to stop making war and how does he intend to conclude the implementation of the Lusaka Protocol. In this way, we could open a speedy way to peace.

Finally, I hope that this initiative will also contribute to the search for peace with law and democracy in mind.

My best wishes for a successful conference!

Thank you.

United Nations A/ES-10/83 S/2001/471

General Assembly
Security Council

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10 May 2001

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 10 May 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues to pursue its military campaign against the Palestinian people under its occupation. Daily, Israeli occupying forces, using countless and the most advanced military means and methods, have assaulted Palestinian civilians and Palestinian areas throughout the Occupied Palestinian Territory. Today, Israeli occupying forces launched at least four missiles against three Palestinian locations in the centre of Gaza City, including a security headquarters and the headquarters of Fatah, the mainstream Palestinian political party, in the city. These attacks resulted in the injury of several people, severe structural damage, and caused fear and panic to spread among the civilian population in the area.

In the last two days, Israeli occupying forces also sent tanks and bulldozers into the territory under full Palestinian control in several locations in the Gaza Strip and West Bank, including the town of Al-Bireh. The tanks pounded targets, causing extensive physical damage and injuries to civilians in the area, before they were withdrawn.

Allow me, at this time, to refer also to the recent letter by the Israeli Representative to the United Nations (A/56/69-S/2001/459). The letter follows the usual pattern of lies and distortions and attempts to falsely assign blame, as well as complete disregard for facts, international law and existing agreements. In this regard, we wish to state clearly that the Palestinian Authority has nothing to do with the weapons Israel says it captured in a boat off the coast of the Gaza Strip earlier this week. Further, we reiterate that the Israeli settlers, who have been illegally transferred by the occupying Power to the Occupied Palestinian Territory, including Jerusalem, in grave breach of the Fourth Geneva Convention of 1949 and in total violation of relevant Security Council resolutions, remain the exclusive responsibility of the occupying Power. Moreover, we hold the Israeli Government wholly responsible for the war crimes and other atrocities being committed by the Israeli occupying forces against the Palestinian people and for Israeli State terrorism

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being waged against Palestinian civilians and targets throughout the Occupied Territory.

In follow-up to my previous letters on this very dangerous and grave issue dated from 29 September 2000 to 9 May 2001 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; A/ES-10/58-S/2001/131; A/ES-10/59-S/2001/156; A/ES-10/60-S/2001/175; A/ES-10/61-S/2001/189; A/ES-10/64-S/2001/209; A/ES-10/65-S/2001/226; A/ES-10/66-S/2001/239; A/ES-10/67-S/2001/255; A/ES-10/68-S/2001/284; A/ES-10/69-S/2001/295; A/ES-10/70-S/2001/304; A/ES-10/71-S/2001/314; A/ES-10/72-S/2001/332; A/ES-10/75-S/2001/352; A/ES-10/76-S/2001/372; A/ES-10/79-S/2001/418; A/ES-10/80-S/2001/432; A/ES-10/81-S/2001/447; and A/ES-10/82-S/2001/463), I regret to inform you that yet another Palestinian civilian has died as a result of the brutal actions of the occupying forces. (The name of the martyr is contained in the annex to the present letter.) This death raises the total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 to 444 people. At the same time, the total number of Palestinian civilians injured, many severely and permanently, also continues to rise each day.

The international community should not remain idle while the Israeli occupying forces continue to wreak death, injury and destruction upon the Palestinian people under occupation. As long as such a situation continues, the wrong message is sent to the occupying Power. We call upon the international community and the Security Council to take the necessary action in this regard, in particular the provision of protection for Palestinian civilians.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as an official document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 10 May 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem* (Tuesday, 8 May 2001 through Wednesday, 9 May 2001)

Tuesday, 8 May 2001

1. Hashem Suliman Al-Mamlouk (16 years old) (died from wounds sustained earlier)

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* Total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 = 444

United Nations S/2001/472

Security Council

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Letter dated 11 May 2001 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith the "Memorandum on the peace process in Burundi: the security challenge" (see annex).

On the eve of the Security Council's visit to Central Africa, this document will help the members of the Council to better understand the impact of security problems on the peace process in Burundi, as well as the regional dimension of the Burundi conflict.

I should be grateful if you would have the memorandum circulated as a document of the Security Council.

(*Signed*) Marc **Nteturuye**
Ambassador
Permanent Representative

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Annex to the letter dated 11 May 2001 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

Memorandum on the peace process in Burundi: the security challenge

I. General context

In dealing with the political and security crisis that erupted in Burundi in October 1993, the Government of President Buyoya has, ever since his return to power in July 1996, emphasized efforts towards a negotiated settlement.

Following an initial attempt at negotiation in Rome (under the auspices of San Egidio) with the chief armed group known at the time (the Conseil national pour la défense de la démocratie (CNDD)), the Government then began the Arusha negotiations in June 1998 in a subregional framework, which was later extended to the entire international community. These talks, which included the Government, the National Assembly, and 17 accredited political parties and political movements in exile, reached a decisive stage on 28 August 2000 with the formal conclusion of the Arusha Peace and Reconciliation Agreement for Burundi. This outcome resulted from the united efforts of the Facilitator, Mr. Nelson Mandela, who mobilized regional cooperation, and the entire international community, along with the collaboration of the Burundian parties concerned.

President Mandela, who succeeded the late Mwalimu Julius Nyerere as Facilitator, had immediately recognized the appropriateness of the request, which the Government of Burundi had repeated many times to his predecessor, that the two armed groups which had been excluded thus far should be allowed to take part in the Arusha negotiations. These were the Front pour la défense de la démocratie (FDD), which had broken off from CNDD, and the Forces nationales pour la libération (FNL), which had broken off from the Parti pour la libération du peuple Hutu (PALIPEHUTU).

Currently, these two groups form the core of the active armed rebellion on the ground, and are also present in the Democratic Republic of the Congo and the United Republic of Tanzania. Despite his efforts to bring them into the final phase of the Arusha talks, President Mandela has not yet succeeded in genuinely involving these two groups in a credible negotiation process. This process was to complete the political agreement concluded in Arusha on 28 August 2000 by supplying the essential component which is missing from that Agreement and which is required for its implementation; namely, the ceasefire protocol.

Subsequent efforts made by the Facilitation with the active collaboration of South African Vice-President Jacob Zuma and, more recently, of Gabonese President Omar Bongo have not shown significant progress, despite facilitation efforts by the late President Laurent Désiré Kabila and President Joseph Kabila of the Democratic Republic of the Congo in organizing two meetings between the Burundian President and the head of FDD in Libreville in January and April 2001. The Government of Burundi has approached all these meetings with a desire to begin serious negotiations aimed at the speedy conclusion of a ceasefire agreement with the two groups, either together or separately. However, neither group seems willing to negotiate. They have used every possible pretext to miss meetings, or they have come to meetings with evasive arguments to prevent the discussion from beginning and making headway.

It must be acknowledged today that a war mentality still prevails in the two armed groups. They seem to favour the option of a military victory. The representatives of the international community present at the signing of the Arusha Agreement, and particularly the heads of State of the region, made a point of lending their support to the Agreement through their signature or their presence. This support included, very explicitly, their commitment to taking collective action to induce the armed groups to take part in the negotiations and to cease hostilities with a view to reaching a ceasefire agreement. Unless the armed groups heeded the solemn appeal issued by these international partners, they would be subject to the coercive measures specified in the Agreement (see

article 2 of the Arusha Peace and Reconciliation Agreement for Burundi).[3]

One month after the Arusha Agreement was signed, the participants in a regional summit meeting in Nairobi issued the same call to the armed groups, urging them to negotiate if they wished to avoid sanctions. Seven months later, this second call has not been heeded. The only response from FDD and FNL has been to intensify their attacks in the country and to strengthen their war machine. Today, the security situation in Burundi has deteriorated to such an extent that the Arusha Agreement cannot be implemented. Instead of making progress towards peace immediately after the conclusion of the Agreement, the country has, since then, been plunged even deeper into civil war. This situation urgently requires action by the international community. The armed groups cannot continue to ignore, with impunity, the call addressed to them in Arusha, Nairobi and other international forums. They must be forced to negotiate or to suffer the consequences already enunciated. In this regard, the efforts of the region, of President Mandela's facilitation and of Burundi itself are not enough.

[3] Article 2

[...] 2. The Parties accordingly call upon armed wings of non-signatory parties to suspend hostilities and violent actions immediately, and invite such non-signatory parties to participate in or engage in serious negotiations towards a ceasefire. The Parties agree that in addition to this public invitation included herein, they will as a priority take all reasonable and necessary steps to invite such parties to participate in ceasefire negotiations.

3. The Parties pledge that in the event of belligerent parties spurning or refusing such an invitation and continuing their belligerent activities against the people of Burundi, or any section of them, the violent acts of such parties will be deemed to constitute an attack on all the Parties comprising this national platform of the Burundian people, as well as on this endeavour to establish an inclusive democratic Burundian State. In such an event the Parties agree to call collectively, through the appropriate agencies including the Implementation Monitoring Committee, upon the Governments of neighbouring States, the international agencies which are guarantors of the Agreement and other appropriate national and international bodies to take the necessary steps to prohibit, demobilize, disarm, and if necessary arrest, detain and repatriate, members of such armed groups, and further to take such steps as are appropriate against any Party which encourages or supports such activities.

The entire international community and the United Nations, particularly the Security Council, must also become more actively involved in the peace process in Burundi before it is too late. The international community's commitment to Burundi must be as manifest as its commitment to the Democratic Republic of the Congo.

An increasingly evident correlation has begun to emerge between developments in the Congolese conflict and those in the Burundi conflict. The further the former moves towards peace, the more adversely this factor affects the Burundi conflict, which it aggravates.

II. The Arusha Agreement in jeopardy

The implementation of the Arusha Agreement is contingent on the improvement of security conditions in Burundi. This is abundantly clear from a number of provisions in the Peace Agreement. The following are a few examples:

- The bodies established to monitor the implementation of the Agreement and the transitional institutions provided for therein require a climate of security for their establishment and operation. The representatives of the signatory parties in exile who are to participate in these bodies or institutions cannot return and assume their functions if the state of war continues or intensifies;
- The transitional institutions provided for in the Agreement were predicated on the existence of a ceasefire. In the absence of that precondition, the design of these institutions as conceived by the negotiators of the Agreement would no longer have the same foundation and would have to be changed. Any institutional formula established in the present circumstances would therefore necessarily differ from what the Agreement provides; this means that the parties would have to renegotiate the Agreement on the basis of an entirely different scenario;
- This prospect threatens to lead to the reopening of substantive negotiations which were supposed to have been completed. Thus, there is the risk of a gradual slowdown, then the complete loss, of the momentum created by the Peace Agreement and of the hopes it had raised in public opinion and in

the Burundian population, which has been traumatized by war;

The fundamental reforms provided for in the Peace Agreement, which were to be instituted at the beginning of the transition period, are inconceivable in the absence of a ceasefire (reform of the army and other security forces, to cite but one example);

The return of the refugees and the reintegration and rehabilitation of the *sinistrés* also presuppose the existence of a ceasefire;

Not only would the foundations of the transition programme be called into question by the pursuit of hostilities on the ground; the persistence of such a situation would eventually lead to an escalation of violence, and the war mentality would soon take the place of the desire for peace which the Arusha Agreement sought to promote;

The Arusha Agreement will therefore be in danger of becoming a dead letter if hostilities do not cease and if the process leading to a ceasefire is not revived in the short term.

III. Negative impact of the implementation of the Lusaka Agreement on the Burundi peace process

There is a close correlation between the conflicts in the Democratic Republic of the Congo and in Burundi. Over the past few months there have been positive developments with respect to the settlement of the conflict in the Democratic Republic of the Congo, largely because of the resurgence of interest on the part of the international community and the efforts it is making to put an end to the conflict.

The Burundi conflict, for its part, is the work of armed rebel groups which for the most part develop, train, equip themselves and prepare their operations against Burundi from the neighbouring territory of the Democratic Republic of the Congo. In the Lusaka Agreement, these groups were listed among the forces termed negative which are to be disarmed, demobilized, reintegrated, repatriated or resettled (see annex I).

As the implementation of the Lusaka Agreement progresses, these negative forces feel the fate that is reserved for them drawing threateningly closer, and those that can are seeking to escape it. This is true of the Burundian armed groups in the Democratic Republic of the Congo, such as FDD and FNL, but also of certain other armed groups allied to them, such as the ex-FAR and Interahamwe of Rwandan origin.

Since the reactivation of the Lusaka Process these groups have embarked upon a vast redeployment from the Democratic Republic of the Congo to the United Republic of Tanzania, in order thereafter to take the main thrust of the war (hitherto waged in the Democratic Republic of the Congo) towards Burundi. Over the past few months, this has been reflected in the increase in infiltratory movements and armed attacks by these groups against Burundi all along its border with the United Republic of Tanzania (see annexes II and III and the explanatory appendix).

Available information indicates that this pressure could be accelerated and intensified in the days and the months to come unless the Governments of the Democratic Republic of the Congo and the United Republic of Tanzania resolve to take steps to halt these infiltratory movements and compel these "negative forces" to exercise restraint, and such resolve is far from being apparent at present. There is thus a strong risk that the security situation will continue to deteriorate very seriously in Burundi in the coming weeks. Ultimately, this explosive situation carries with it the danger of a general conflagration in Burundi, and also in other parts of the subregion. The risk of another genocide and further large-scale humanitarian crises cannot be ruled out if nothing is done to control the escalation that is beginning, for the ideology of genocide dominates the political philosophy of the Burundian rebels, who are generally allied with the infamous Rwandan groups the ex-FAR and the Interahamwe, and inspires their actions and their methods of war. The term "terrorists and perpetrators of genocide" that is often applied to them is not unjustified, given the nature and cruelty of their actions (see annex IV).

To halt the escalation, there are three possible ways that should be combined in order to deter the Burundian armed groups and their allies from perpetuating the war mentality:

(a) Compel these groups (FNL and FDD) to cease hostilities and engage in negotiations for a ceasefire in the context of the Arusha peace process, which is still open to them;

(b) Apply to these groups the treatment reserved for the "negative forces" in the Lusaka Agreement, whichever country they chose to take the war into. This would mean, inter alia, that even if these negative forces were to shift the bulk of their war activities from the Democratic Republic of the Congo to Burundi, the provisions relating to them in the Lusaka Agreement would remain strictly applicable to them in the eyes of all the parties bound by and concerned with that Agreement;

(c) Apply the sanctions announced by the countries of the region in conformity with article 2, paragraph 3, of the Arusha Peace Agreement already quoted above.

The international community should consider ways of advancing the Arusha and Lusaka peace processes concomitantly and simultaneously in order that advances in one should not constitute a source of threat for the other.

IV. Security problems on the border with the United Republic of Tanzania and the role expected of that country

Burundi notes an absence of collaboration on the part of its neighbour the United Republic of Tanzania, whereas objective reasons should lead the two countries to cooperate closely in all areas and above all to protect security along the common border:

- The United Republic of Tanzania is the host country and one of the main sponsors of the inter-Burundian peace negotiations in Arusha;
- The United Republic of Tanzania co-signed the Agreement of 28 August 2000, and thus personally committed itself, together with the international community as a whole, to compel the Burundian armed groups to cease the violence and negotiate on penalty of being outlawed by that same international community, comprising in the first place the countries of the subregion;
- Despite that solemn moral commitment, it is apparent that the Burundian armed groups are attacking their country from Tanzanian territory and then returning with impunity from the bases from which they started after committing their infamous acts (see annexes II and III and explanatory appendix).

Burundi has long sought to make bilateral approaches towards the United Republic of Tanzania in order to make its leaders aware of the dangers the rebellion operating from its territory poses for peace, and to propose that it take the appropriate measures to remedy the situation. Apart from President Buyoya's visits to the United Republic of Tanzania, many meetings between the leaders of the two countries have taken place at the ministerial level. Thus, between August 1999 and February 2001 the Ministers of Defence alone met four times, alternately in the United Republic of Tanzania and in Burundi. In response to these approaches, Tanzanian reactions have remained passive and without impact on the continuing hostile moves by the rebellion across the common border, as if nothing had taken place. The end result has been to create a rather disturbing climate in the relations between the two countries and to raise many questions on the part of Burundian public opinion regarding the attitude of the United Republic of Tanzania.

Given this absence of reaction to the attacks by the Burundian rebellion and the lack of pressure by the United Republic of Tanzania to prevent them, one may indeed wonder about the strength of that country's commitment to a successful outcome to the Agreement it sponsored in Arusha.

V. Security problems relating to the conflict situation in the Democratic Republic of the Congo

Since the start of the second war in the Democratic Republic of the Congo in August 1998, that country has become the main base which enabled the anti-Burundian armed groups FDD and FNL to expand (training, equipment, participation in the fighting alongside the troops of the Congolese armed forces and the countries allied with the Government in Kinshasa). Annex I gives a clear illustration of this situation.

From their bases in the Democratic Republic of the Congo, these groups primarily utilized the Burundian refugee camps in the United Republic of Tanzania to recruit their troops. Although most of them take place from bases in the Democratic Republic of the Congo, their incursions into Burundi almost always pass through Tanzanian territory (see annex I).

This active presence of the Burundian rebellion in the Democratic Republic of the Congo and the threat it posed to Burundian trade on Lake Tanganyika led Burundi to deploy a military self-defence operation covering the part of the territory of the Democratic Republic of the Congo along Lake Tanganyika, as security there was no longer ensured by the central Government of that country. This operation has recently been the object of disengagement measures and a substantial reduction in the forces engaged there, in conformity with the new environment created by the latest decisions of the Lusaka Agreement, which have been reflected in a substantial lowering of the military confrontation activities on all fronts in the Democratic Republic of the Congo.

Although not a signatory to that Agreement, Burundi nevertheless remains strongly affected by it, as a country with security needs which found a precise response in the context of the regional process for the settlement of that conflict. The purpose of the Burundian military operation was strictly confined to self-defence, and Burundi has never had political, territorial or economic designs on the Democratic Republic of the Congo. Compelled to take security measures given the de facto absence of a governmental counterpart, Burundi did not feel itself to be in a state of belligerence against the Democratic Republic of the Congo. That is why, although it took part in all phases of the negotiations, it preferred to request observer status (which it was not given) in the Lusaka Agreement, rather than to assume a status of belligerent that it did not possess.

Since December 2000, Burundi and the Democratic Republic of the Congo have initiated bilateral contacts with a view to ironing out their differences and achieving a mutually beneficial peace. At the outset the contacts were fairly promising, under the chairmanship of the late Laurent Désiré Kabila, who, while having demands to make of Burundi, appeared for his part to be desirous of offering concessions to Burundi's demands.

After the accession of President Joseph Kabila, the bilateral contacts resumed in April (expert meetings and a summit held at Libreville on 16 and 17 April, meeting of the Ministers of Defence in Nairobi on 27 April). At these latest meetings, the Congolese side gave the impression that it was no longer as willing as it had been at the outset to offer concessions in return for its constraints.

For the Democratic Republic of the Congo, Burundi must proceed to "an immediate unilateral withdrawal of its troops from the Democratic Republic of the Congo" in return for a commitment on the part of the Democratic Republic of the Congo to continuing to encourage the dialogue between the Burundian Government and FDD.

For Burundi, the Democratic Republic of the Congo must first use its influence on FDD (and the other anti-Burundian armed groups in the Democratic Republic of the Congo) and exert on them the pressure required in order to induce them to cease hostilities and join in the Arusha process. The Democratic Republic of the Congo should in addition cooperate in the action specified by the Lusaka Agreement against the "negative forces". Burundi is prepared to withdraw the remainder of the security operation it deployed on its border with the Democratic Republic of the Congo in return for reliable security guarantees.

VI. Burundi's commitments, expectations and requests of the international community

5.1 Commitments

Burundi wishes to reaffirm the Government's firm commitment to do everything in its power to bring about the success of the inter-Burundian peace process and promote the implementation of the Arusha Peace Agreement.

The Government of Burundi reaffirms its interest in seeing peace fully restored in the Democratic Republic of the Congo. It will cooperate with all interested parties in attaining this objective in the framework of the Lusaka Agreement, or of a bilateral dialogue with the Democratic Republic of the Congo; in its view, this dialogue must continue until relations between Burundi and the Democratic Republic of the Congo have been completely normalized.

The Government of Burundi is in favour of the idea of organizing a conference on peace, security, stability and development in the Great Lakes region. The outcome of such a conference will depend on how well all the participants prepare for it.

5.2. Expectations and requests

The Government of Burundi is seriously concerned at the risk of stalemate and collapse of the peace process so painstakingly concluded in Arusha. It urgently calls on the international community and, in particular, the United Nations Security Council, to take action to give fresh impetus and encouragement to the peace process.

Accordingly, the Government of Burundi wishes to stress that the international community's respect for the role of the Facilitator, Nelson Mandela, or for that of the countries of the region, does not represent the granting of a monopoly or a renunciation of its own ability to act, since the dangers of the situation call for commitment and action by the international community. Thus Burundi expects:

That the members of the Security Council will take the time necessary during their forthcoming visit to the region to become fully informed about the difficulties being faced by the Arusha inter-Burundian peace process in both its national and its regional dimensions, and in particular about the security problem that represents the main obstacle to the implementation of the Peace Agreement.

That the representatives of the Security Council, in addition to meeting as planned with the signatories of the Arusha Peace Agreement, could greatly benefit from a meeting with other influential groups in Burundian society, including the army and representatives of civil society and of religious communities. President Mandela, who has just welcomed representatives of these groups in South Africa, greatly appreciated their insight, proposals and ideas on how to overcome the crisis.

That the members of the Security Council will meet with the leaders of the Burundian rebellion in Kinshasa (FDD) and Pretoria (FNL) and send a clear message to them about the urgency of a positive response to the international community's appeal for a cessation of hostilities and the negotiation of a ceasefire. The members of the Council should convince these groups that if they refuse to comply, the international community will consider imposing sanctions against them.

That the members of the Security Council will study concrete actions and measures with a view to supporting the region and the facilitation of the inter-Burundian peace process and helping it to break the stalemate, thereby allowing it to move forward at the same pace as, or even faster than, the peace process in the Democratic Republic of the Congo, which is interrelated with it. We urge them to make every effort in their talks to convey to all their interlocutors the need to take these actions and measures quickly, in order to forestall the loss of political and social control to which the present stalemate might lead. **The issue of short-term sanctions applicable to armed groups should be included in the range of concrete measures to be considered very seriously on a priority basis.**

That the members of the Security Council will convince the United Republic of Tanzania of the need to take into account the security concerns that Burundi has so often expressed. In that regard, Burundi proposes to the United Republic of Tanzania that a joint force to patrol their common border should be set up, and neutral observers should be stationed along that border. This same proposal was made in 1998, but the United Republic of Tanzania did not accept it.

That the Security Council will study the possibility of extending the mandate and mission of MONUC, as provided for under the Lusaka Agreement, to enable it to meet the need to monitor the security of the common border of Burundi and the United Republic of Tanzania, and that of Burundi with the Democratic Republic of the Congo.

That the members of the Security Council will convince the Congolese authorities of the need to pursue a bilateral dialogue with Burundi in a more positive and constructive spirit, so that the expectations of the two parties can be met and their concerns satisfied.

That the Security Council, in that regard, will lead the Democratic Republic of the Congo to

exert the necessary pressure on Burundian armed groups with a view to the cessation of hostilities and commitment to real negotiation.

That the members of the Security Council will ensure for the time being, following their forthcoming talks with the Government of the Democratic Republic of the Congo, that the Congolese Government firmly commits itself to encouraging the anti-Burundian armed groups to show clear evidence of their withdrawal, in order to prevent these negative forces from crossing the border in future from the territory of the Democratic Republic of the Congo to perpetrate further attacks on Burundi, and to see that they confine their military activities to the territory of the Democratic Republic of the Congo.

That the members of the Council will convince the Democratic Republic of the Congo that these negative forces have no choice and that they must turn in their weapons and rejoin the Arusha peace process immediately, or take the consequences provided for under the Lusaka and Arusha Agreements.

That Council members will finally make it clear that it is in the interest of the Democratic Republic of the Congo, the subregion and the entire international community to cooperate with it so as to promote a lasting climate of reconciliation and good-neighbourliness and thus to make a significant contribution to the achievement of a lasting peace in the subregion.

Explanatory appendix to annexes*

Annexes I and II: Incursions and destabilization of Burundi by FNL, FDD and their allies based in the Democratic Republic of the Congo and the United Republic of Tanzania

Democratic Republic of the Congo

A. FNL — PALIPEHUTU

In direct collaboration with the Interahamwe, the ex-FAR and the Mayi-Mayi, FNL troops have been reported in the region located between Uvila and Bukavu. They are shuttling between Burundi and the Congo across the Rusizi river. They are making incursions in the province of Bujumbura Rural and part of Bubanza.

B. FDD

One contingent of the FDD forces is in the South Kivu region between Uvira and Moliro. These attacking forces are crossing Lake Tanganyika to make incursions in the province of southern Bujumbura Rural and parts of Bururi, in Rumonge, and Makamba, in Nyanza-Lac.

Another contingent is also crossing the lake, but through the United Republic of Tanzania, generally in the Kigoma region, to attack the areas already mentioned but also the provinces of Makamba and Rutana.

Another FDD contingent is located in the Katanga, Lubumbashi, region. This group follows the border between Zambia and the Democratic Republic of the Congo, crosses Lake Tanganyika and passes through Tanzanian territory to reach its sanctuaries.

United Republic of Tanzania

Besides the fact that these hostile forces use Tanzanian territory for transit purposes, a majority of the assailants attacking Burundi are reportedly located in that country. Incursions are made into Burundi from sanctuaries situated at between 10 and 30 km from the border between Burundi and the United Republic of Tanzania.

Annex III: Worsening of the security situation following the Lusaka Agreement

Since the start of the effective implementation of the Lusaka Agreement, we have noted a significant increase in the violence.

On the ground, it did not take long to see the results. Heavily armed rebels crossed Lake Tanganyika and our long border with the United Republic of Tanzania en masse.

Thus provinces which had been relatively calm have experienced a wave of terror in March and April. That is true of the provinces of Gitega, Muramvya and Kayanza.

* Annexes I to III are not included in the present document.

Annex IV: Summary of damage

This wave of terror has caused tremendous damage. A good many civilians have been killed, a number of people have been wounded and the population has been displaced. Much of the population's property has been destroyed, despoiled and stolen. One distressing consequence of this state of affairs is that a great many people have died as a result of disease and famine which has been made worse by overcrowding.

Annex IV

Summary of damage

A. Damage caused by genocidal terrorists across the border with the United Republic of Tanzania

Period	*Province*	*Damage to people (civilians)*	*Material damage*	*Comments*
From 11 December 1996 to 16 March 1998 (1 year and 4 months)	Makamba (Lake Nyanza) Kayogoro	232 killed 72 wounded	Many goods stolen Several houses set alight and destroyed Many houses looted 27 cows stolen	Attack by G.T. coming from Tanzania and withdrawing to Tanzania
From 30 April 1998 to 17 August 1998 (3 months and 3 weeks)	Makamba	24 killed 7 wounded	72 houses set alight a large sum of money stolen 38 cows stolen	G.T. coming from and withdrawing to Tanzania, the wounded rebels were treated at Musagara in Tanzania
	Rutana	6 killed 5 wounded		
	Cankuzo	5 killed		
From 16 August 1998 to 21 October 1998 (3 months)	Makamba	3 killed 1 wounded and 2 kidnapped	36 households looted and set alight	Repeated attacks by G.T. repelled; withdrawal to Tanzanian territory
From 27 October 1998 to 4 April 1999 (5 months)	Makamba Ruyigi	139 killed 55 wounded 23 kidnapped 10,000 displaced	Many houses looted and set alight 232 cows stolen 1,963,000 FBu stolen Many goats and sheep stolen	
From 5 April 1999 to 21 June 1999 (2 months and 3 weeks)	Makamba	75 killed 30 wounded 51 reported missing Several people displaced	Several houses burnt Many cows stolen Much money stolen 2 vehicles destroyed	Incursion from Tanzania and withdrawal to Tanzanian territory
From 26 June 1999 to 23 September 1999 (3 months)	Makamba	49 killed 26 wounded and 5 kidnapped Thousands displaced	Many cows stolen 1 primary school set alight 200 houses looted and set alight	
	Rutana	18 killed 21 wounded 4 kidnapped Many thousands displaced	96 cows stolen 100 houses set alight Field of coffee trees burnt 1 health centre destroyed	
From 24 September 1999 to 16 January 2000 (4 months)	Rutana Ruyigi	74 killed, including 2 Europeans from United Nations agencies 73 wounded	194 houses burnt 2 health centres burnt 1 primary school burnt	The wounded were treated on Tanzanian soil
February to June 2000 (5 months)	Makamba Rutana	158 persons killed 79 persons wounded	1,334 houses burnt 1,383 houses looted	What was stolen was sold in Tanzania.

Period	*Province*	*Damage to people (civilians)*	*Material damage*	*Comments*
	Ruyigi Gitega	21 persons kidnapped	171 cows stolen 10 primary schools burnt 8 vehicles burnt 12 vehicles damaged 4 health centres burnt 2 health centres looted Many shops looted Much money stolen Many clothes and foodstuffs stolen 1 motorbike and more than 21 bicycles stolen	All G.T. who carried out these deeds came from Tanzania and withdrew to Tanzania afterwards.
From July to December 2000 (6 months)	Makamba Rutana	67 killed 175 wounded Many displaced	60 cows stolen Many houses burnt Many households looted	
January-April 2001 (4 months)	Rutana Ruyigi Cankuzo	29 killed 34 wounded	229 cows stolen Many houses burnt Many medicines stolen and shops looted	

B. Damage caused by genocidal terrorists across the border with the Democratic Republic of the Congo

Period	*Province*	*Damage to people*	*Material damage*	*Comments*
Year 2000 (12 months)	Buja Rural	57 killed 104 wounded 8 missing		FNL from DRC targets the capital and its vital points.
Year 2001 until April (4 months)	Buja-Mairie (Kinama) Buja Rural (Nyabunyegeri)	Provisional figures		Escalation of violence Insecurity around the capital.

Key: FNL: Front national de libération, armed wing of PALIPEHUTU.
G.T.: Genocidal terrorists.
DRC: Democratic Republic of the Congo.
PALIPEHUTU: Parti de libération du peuple Hutu.